

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:04cr315

UNITED STATES OF AMERICA                  )  
    )  
    )  
vs.    )  
    )  
    )  
TERRY JACKSON BENNETT                  )  
    )  
    )

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O R D E R

**THIS MATTER** is before the Court on the defendant's motion to schedule a sentencing hearing (Doc. No. 34) filed pro se on January 13, 2006.

On January 9, 2006, the Court granted the defendant's pro se motion to withdraw his plea (Doc. No. 12) and the government's motion to set aside the plea (Doc. 26), and set this case for trial during the February 6, 2006, term of court. (Doc. No. 33).

**IT IS, THEREFORE, ORDERED** that the defendant's pro se motion to schedule a sentencing hearing is **DENIED** as moot.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals service, and the U.S. Probation office.

Signed: January 17, 2006

  
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Robert J. Conrad, Jr.  
United States District Judge  
